



COUNCILMEMBER DONNA FRYE

CITY OF SAN DIEGO – SIXTH COUNCIL DISTRICT

Press Release

For Immediate Release
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FRYE SUCCESSFULLY CHALLENGES BALLOT LANGUAGE

Public will now know true cost of continuing 'Strong Mayor' form of government

San Diego, CA- On Monday, March 29, 2010, Councilmember Donna Frye filed a lawsuit against the City of San Diego to compel the Mayor's office to tell the truth about the fiscal impact of Proposition D, the Strong Mayor ballot measure that will be on the June 8th ballot. Frye filed the lawsuit to make sure the voters were told the real cost of voting in support of Prop D.

Would you believe it would cost nothing to increase the number of Council Districts from eight to nine? Of course not, and neither did Councilmember Frye. That's why she took action to protect the taxpayers right to know, by filing a lawsuit to compel the Mayor's office to tell the truth about the real costs of the Strong Mayor ballot measure.

Councilmember Frye said, "The public has a right to know what Proposition D will cost *before* they vote. The bottom line is that there will be costs of well over \$1 million dollars in the first election year and ongoing costs of at least \$939,000 per year."

"The Mayor's office agreed to change the language of the Fiscal Impact Analysis, as we requested, to reflect the real costs," Frye continued.

Frye's attorney, Marco Gonzalez, partner, Coast Law Group, said, "The unilateral failure of the Mayor's office to accurately represent the cost of the Strong Mayor form of governance is a pretty clear indictment of the Strong Mayor system itself."

Prop D is the Strong Mayor ballot measure where voters will be asked to decide whether to make the Strong Mayor form of governance permanent; whether to add a ninth council district; and whether to require a supermajority (2/3) vote to override a mayoral veto.

The Council directed the Mayor's office to prepare the Fiscal Impact Statement in February, and included that the city's Independent Budget Analyst provide input. Laws governing that preparation include requirements that the analysis be impartial and not mislead the voters.

Unfortunately, the Mayor's Fiscal Impact Statement included language that would lead people to believe that the cost of adding a ninth council district would be zero. Yep, nothing, nada, zilch. This inaccurate language prompted Frye to file a lawsuit challenging the language.

Donna Frye is the City Councilmember for the Sixth Council District of the City of San Diego and is currently the chair of the Council's Natural Resources and Culture committee.

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Original Language

Fiscal Impact –Strong mayor form of governance ballot:

The fiscal impact analysis of this ballot measure includes the expenses required to make the Strong Mayor Form of Governance permanent, increase the number of Council districts to nine, and increase the number of City Council votes required to override a Mayoral veto. It is anticipated that there will be no additional costs as a result of making the Strong Mayor Form of Governance permanent because the expenses associated with this type of government are currently in effect and have been included in the current budget. It is also anticipated that the increase to the veto override vote will not have a fiscal impact.

The fiscal impact of adding an additional Council District would be \$0 up to \$1,072,000 annually depending on whether the City absorbs some or all of the costs of the new Council District in the city's budget.

New Language Added Through Settlement

(No change to first paragraph)

However, it is anticipated that the additional Council District will have a fiscal impact to the City's General Fund.

Each of the following estimates is subject to the City's budget process and may be adjusted depending on whether future City budgets absorb any costs of the new Council District. It should be noted that annual and one-time expenses could be offset by reductions to other areas of the City's General Fund budget which could impact other services or programs.

The estimated costs of adding an additional Council District include annual expenses of \$939,500 to \$971,500 for staff salaries and supplies based on current City Council Office budgets. Additional one-time expenses of \$80,000 to \$100,000 are anticipated for equipment, furniture and facility improvements. These costs will not be incurred until the new Council seat is filled in 2012.

The cost of running an election for the new Council seat would be paid by the City every four years. The amount is set by the number of voters in the district and how many candidates run for the seat. For the current election, for example, the costs for the primary election in a given Council District are estimated to be between approximately \$25,000 and \$43,000. For a general election, with only two candidates in the race, the estimate is \$14,000 to \$29,000 per district.